

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: '318 PATENT INFRINGEMENT LITIGATION)	
)	C. A. No. 05-356 (KAJ)
)	(consolidated)

**DEFENDANTS PAR PHARMACEUTICAL, INC.'S AND
PAR PHARMACEUTICAL COMPANIES, INC.'S MOTION AND
JOINDER IN DEFENDANTS MYLAN PHARMACEUTICALS INC.'S AND MYLAN
LABORATORIES INC.'S RULE 12(c) MOTION FOR JUDGMENT ON THE
PLEADINGS DISMISSING PLAINTIFFS' WILLFUL INFRINGEMENT CLAIM OR, IN
THE ALTERNATIVE, TO BIFURCATE AND STAY DISCOVERY ON SUCH CLAIM**

Defendants Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc.

("Par"), hereby move this Court pursuant to Fed. R. Civ. P. 12(c) for an Order substantially in the form attached hereto dismissing Plaintiffs' willful infringement claim or, in the alternative, to bifurcate and stay discovery on such claim. Par joins in and incorporates by reference defendants Mylan Pharmaceuticals Inc.'s and Mylan Laboratories Inc.'s Rule 12(c) Motion for Judgment on the Pleadings Dismissing Plaintiffs' Willful Infringement Claim or, in the Alternative, to Bifurcate and Stay Discovery on Such Claim (D.I. 57) as if fully set forth herein.

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Dated: December 29, 2005
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CERTIFICATE OF SERVICE

I, Philip A. Rovner, hereby certify that on December 29, 2005, the within document was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following; that the document was served on the following as indicated and that the document is available for viewing and downloading from CM/ECF.

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